

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 04, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JESSICA G.,¹

No. 4:20-CV-5110-EFS

Plaintiff,

v.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,²

Defendant.

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

On August 4, 2021, the parties filed a Stipulated Motion for Remand. ECF No. 23. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings as set forth below. The parties also agree

¹ To protect the privacy of the social-security Plaintiff, the Court refers to her by first name and last initial or by "Plaintiff." *See* LCivR 5.2(c).

² On July 9, 2021, Ms. Kijakazi became the Acting Commissioner of Social Security. She is therefore substituted for Andrew Saul as Defendant. Fed. R. Civ. P. 25(d); 42 U.S.C. § 405(g).

1 that Plaintiff is entitled to reasonable attorney fees and costs under the Equal
2 Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.
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4 Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**
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- 1 1. The parties' Stipulated Motion for Remand, **ECF No. 23**, is
2 **GRANTED.**
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- 4 2. The case caption is to be **AMENDED** consistent with footnote 2.
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- 6 3. Judgment shall be entered for **Plaintiff**.
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- 8 4. This matter is **REVERSED** and **REMANDED** to the Commissioner
9 of Social Security for further administrative proceedings pursuant to
10 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council
11 is to instruct the ALJ to:
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- 13 • Obtain evidence from a psychological or psychiatric medical
14 consultant
15
- 16 • Reevaluate whether the severity of the Plaintiff's mental
17 impairments meets or medically equals the criteria of a listed
18 impairment
19
- 20 • Reevaluate Plaintiff's alleged symptoms
21
- 22 • As warranted, reevaluate the opinion evidence of record and
23 Plaintiff's residual functional capacity, and
24
- 25 • If warranted by the expanded record, obtain supplemental
26 vocational expert evidence to clarify the effect of the assessed

1 limitations on Plaintiff's ability to perform other work in the
2 national economy.

- 3 5. All pending motions are **DENIED AS MOOT**.
4 6. All hearings and other deadlines are **STRICKEN**.
5 7. If filed, the Court will consider Plaintiff's motion for fees and
6 expenses under the Equal Access to Justice Act.
7 8. The Clerk's Office is directed to **CLOSE** this file.

8 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
9 and provide copies to all counsel.

10 11 **DATED** this 4th day of August 2021.

12 
13 Edward F. Shea
14 EDWARD F. SHEA
15 Senior United States District Judge
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